

BRUCE H. SIMON
ROBERT S. SAVELSON
STEPHEN B. MOLDOF
MICHAEL E. ABRAM
KEITH E. SECULAR
PETER HERMAN
RICHARD M. SELTZER
JANI K. RACHELSON
BABETTE CECCOTTI*
SUSAN DAVIS*
MICHAEL L. WINSTON
THOMAS N. CIANTRA
JOSEPH J. VITALE*
PETER D. DECHIARA
LISA M. GOMEZ*
BRUCE S. LEVINE
TRAVIS M. MASTRODDI

COHEN, WEISS AND SIMON LLP

COUNSELLORS AT LAW
330 WEST 42ND STREET
NEW YORK, N.Y. 10036-6976

(212) 563-4100

WRITER'S DIRECT INFORMATION:

PHONE: (212) 356-0243
FAX: (646) 473-8243
E-MAIL: ZLEEDS@CWSNY.COM

February 24, 2012

SAMUEL J. COHEN (1908-1991)
HENRY WEISS (1910-2004)

RICHARD C. HARMON
SENIOR ATTORNEY

DAVID R. HOCK*
CLAIRE TUCK*
MARCELLE J. HENRY
EVAN HUDSON-PLUSH*
MICHAEL S. ADLER*
JOSHUA ELLISON*
ZACHARY N. LEEDS*
TZVI MACKSON
NOELIA E. HURTADO
DANYA AHMED*
KATE M. SWEARENGEN**

* ALSO ADMITTED IN NJ

** ADMITTED IN NJ ONLY

By Electronic Case Filing and Regular Mail

The Honorable Kiyo A. Matsumoto
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: Ferrara et al. v. Persico Contracting & Trucking Inc.,
09-CV-3407 (KAM)(RER)

Dear Judge Matsumoto:

This firm is counsel to Plaintiffs in this case. Enclosed please find a courtesy copy of the Stipulation of Dismissal of the case. The parties respectfully request that the Court endorse the Stipulation and close the case, as well as the Stipulation and Order of Settlement filed on February 10, 2012.

Thank you for your attention to this matter.

Respectfully submitted,

/s/ Zachary N. Leeds

Enclosure

cc: Clifford H. Greene, Esq. (by ECF)



UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

----- X

JOSEPH A. FERRARA, SR., FRANK H. FINKEL,	:	
MARC HERBST, THOMAS N. PIALI, DENISE	:	
RICHARDSON, ANTHONY D'AQUILA,	:	
THOMAS GESUALDI, LOUIS BISIGNANO,	:	
DOMINICK MARROCCO, and ANTHONY	:	Civil Action No.: 09-CV-3407
PIROZZI, as Trustees and Fiduciaries of the Local	:	(KAM)(RER)
282 Welfare Trust Fund, the Local 282 Pension	:	
Trust Fund, the Local 282 Annuity Trust Fund, the	:	
Local 282 Job Training Trust Fund, and the Local	:	
282 Vacation and Sick Leave Trust Fund,	:	
	:	
Plaintiffs,	:	STIPULATION
	:	OF DISMISSAL
- against -	:	
	:	
PERSICO CONTRACTING & TRUCKING, INC.,	:	
	:	
Defendant.	:	

----- X

IT IS HEREBY STIPULATED AND AGREED by the attorneys for the parties that all claims and counterclaims in this case are hereby dismissed pursuant to the Stipulation and Order of Settlement filed with the Court on February 10, 2012 ("Settlement"), with plaintiffs reserving the right to reopen the matter, and take any action pursuant to the Settlement, and the Court retaining jurisdiction to enforce the Settlement, including the Consent Judgment attached thereto.

By: /s/ Clifford Greene
CLIFFORD H. GREENE & ASSOCIATES
145 Huguenot Street, Suite 402
New Rochelle, NY 10801
Attorneys for Defendant

By: /s/ Zachary N. Leeds
COHEN, WEISS AND SIMON LLP
330 West 42nd Street
New York, New York 10036
Attorneys for Plaintiffs

SO ORDERED.

Dated: _____
Brooklyn, New York THE HONORABLE KIYO A. MATSUMOTO